



Chief David P. Cahill
Chairman

State of New Hampshire
POLICE STANDARDS & TRAINING COUNCIL
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John V. Scippa
Director

PUBLIC MINUTES
Police Standards and Training Council
March 24, 2020

Present: Chairman, Chief Cahill, Sunapee Police Department at PSTC with below listed staff
Chief Morency, Vice Chairman, Berlin Police Department; Sheriff Valerino, Coos County
Sheriff's Office; both at Chief Morency's Office
Judge Gardner, Circuit Court Judge; at home, alone
Dr. Maureen Sullivan; at home alone
Commissioner Hanks, New Hampshire Department of Corrections; at her office alone
Attorney General MacDonald; at his office alone
Mr. Edward Lecius, at home alone
Chief Cormier, Tilton Police Department; at home alone
Judge Vetanze, 3rd Circuit District Division, Ossipee; at home alone
Sheriff Massahos, Rockingham County Sheriff's Office; at his office alone
Chief Operating Officer, Charles Ansell, Community College System of New Hampshire; at his
office alone
Chief Capano, Manchester Police Department; at his office alone

Staff Present: Director John Scippa, Major Parenteau, (Ret.), Lt. Hawkins, and Anne Paquin,
Investigative Paralegal at PSTC in classroom one and two at PSTC

Guests: Assistant Commissioner Benjamin Jean, New Hampshire Department of Corrections;
with Mark Cardova in AC Jean's office at NH DOC

**This month's Council meeting was held using "Zoom" due to COVID 19 restrictions for
gathering of people. Per instruction for remote meetings, voting was done by roll call for
every motion. Public and Nonpublic sessions were held by using separate log ins for
"Zoom".**

Chairman Cahill called the meeting to order at 9:05 a.m.

Anne took attendance for the meeting.

Chairman Cahill instructed members that the video being used for the meeting may need to be
adjusted from time to time.

Chairman Cahill asked for motions for the public session of February 25, 2020 and the nonpublic
session from the February 25, 2020 meeting.

Motion by Dr. Sullivan, seconded by Commissioner Hanks to approve the public meeting minutes of the February 25, 2020 Council meeting. The Council voted unanimously in favor of the motion.

Motion by Judge Gardner, seconded by Edward Lecius to approve the nonpublic Personnel meeting minutes from February 25, 2020. The Council voted unanimously in favor of the motion.

Director's Report

Director Scippa explained to the Council that on his first day of work at PSTC, March 16, 2020 he was in touch with the Governor's Office regarding Covid 19. He asked Chairman Cahill and the Governor's Office if they would support a temporary suspension of training activity during that week. Both were in agreement. The full time academy recruits were sent home, the part time academy and all of the in-service classes were also suspended. Since that day, both he and Major Parenteau have been reviewing other academies across the country to determine what their response has been to this crisis. PSTC is in line with what the other academies have done.

During this past week Director Scippa has been working directly with PSTC's Law Enforcement Training Specialists, they have worked tirelessly to put together an opportunity for PSTC to continue training remotely. The schedule for the full time academy has been modified. The lecture classes are to be held now, and the defensive tactics and other hands on type classes that require recruits to be present at PSTC to the end of the academy session, with the hope that the situation will improve.

While this is not the best method for PSTC to deliver the program, he and the staff are working through the challenge. The staff has been outstanding in terms of coming up with ideas and implementing those ideas. The intention is to have the full time and part time academies continue to work online which will necessitate both of the academies returning to the PSTC facility for driving and the other skills development classes.

The part time academy class will do their driving, it will be broken up so that no more than ten people are present on campus at a time, the cars will be cleaned between drivers.

Director Scippa asked the Council members for guidance regarding:

- The next scheduled full time academy and the upcoming scheduled corrections academy
 - If any of the training is pushed any further it will not only affect PSTC in the present instance but it will carry on into multiple training academies in the future
 - Should PSTC continue training on line?
 - Should PSTC push the start date for the next academy into the future? If so, it will only allow for one more academy this year, not two.
- He'd like guidance for the dates for the next full time academy and for the upcoming scheduled correction's academy.

Discussion ensued amongst the Council members.

Commissioner Hanks has asked her staff at the Department of Corrections to do whatever possible to make their training “virtual” in order for the Correction’s Academy to keep it’s start date. Defensive tactics and hands on course would be held towards the end of the academy. New Hampshire Department of Corrections also would like the Council’s approve to sustain a virtual learning environment as long as it is necessary.

Chief Capano responded that the Manchester Police Department currently has 9 recruits in the full time academy, they are using Zoom at the agency. He has 11 more recruits scheduled to begin in the May academy, he is supposed to hire another 17 people in July. Pushing off academy dates will be a problem, if there is a way to maintain the May academy and continue with online learning it would be beneficial. Many agencies are in the process of hiring, and putting off an academy will have an impact on all of them.

Director Scippa agreed with Chief Capano. He stated that the safety of the public, while mitigating the risks of having a lot of people in PSTC’s training facility were all considerations regarding the ability to continue training. Staff at PSTC is working out a different way to schedule the academy’s curriculum. The LETS have been outstanding, together he and the staff can put a great program together using the technology available. He will be certain that the New Hampshire Department of Corrections is involved in training meetings for delivery of classes on line.

Judge Vetanze commenting that she supported staying in line with the current schedule, however she noted that there very well might be a double sized component when training “in hands on and in person classes”. She suggested that the recruits could be organized in such a way that they complete hands on training in batches, including the use of longer days. Many in the state feel as though there is a lull currently in day to day work, but when everyone is back up and running, there will be a huge backlog. She feels that the academy should stay on track as much as possible, but understands that the training group for August may be double or triple the customary number for the academy programs.

Chairman Cahill agreed, police and correction’s officers are first responders; the academy should maintain the dates set, and move forward in order for agencies to fill positions.

Motion by Edward Lecius to authorized Director Scippa to move forward at the start date as best as he can, with the appropriate adjustments to curriculum and structure as needed. The motion was seconded by Chief Cormier.

Attorney General McDonald interjected that he has been in touch with PSTC’s legal counsel regarding the use of Zoom technology. The Attorney General’s Office takes the position that a Zoom meeting is equivalent to a telephone meeting. All Council votes must be by roll call. Also, Council members must not use the chat function on Zoom due to RSA 91-A.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes
Judge Gardner	yes
Commissioner Hanks	yes
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

Director Scippa continued with his report.

The Governor's Office has asked each agency to limit spending. There are a number of in-service classes that have been scheduled between now and the end of the fiscal year. Many of the classes are facilitated by PSTC instructors, the classes necessitate groups larger than ten people to congregate in the building. There are also three separate contract classes for in-service in the amount of \$24,000 if PSTC paid for these classes. Director Scippa asked for the Council's input on suspending the in-service classes from now until the end of the fiscal year.

Judge Vetanze asked about the impact on agencies if the classes were not held. Director Scippa responded that there would be some impact as agency's use in-service classes to complete officers yearly requirement of 8 hours of ongoing training. Canceling the classes for the aforementioned time period is a valuable way to keep people safe, limiting the number of people inside the training facility, and canceling contract classes will save money according to the Governor's request to reduce spending.

When asked Director Scippa responded that PSTC would accept requests for specific training after July 1, 2020 that any agency may be interested in taking, for instance Field Training Officer.

Director Scippa informed the Council members that currently there had been issues with contracted instructors that were not willing to deliver their classes in the conditions that everyone is currently experiencing. He confirmed to Dr. Sullivan that notification can be made to all agencies about the cancellation of classes.

Motion by Dr. Sullivan, seconded by Chief Cormier, that all in-service classes previously scheduled from the current date until July 1, 2020 will be canceled.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes
Judge Gardner	yes
Commissioner Hanks	yes
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

Financial Report

Major Parenteau gave a summary to the Council. Based upon the Governor's recent moratorium on non-essential spending, staff continues to scrutinize the spending needs of PSTC. Cleaning supplies are being maintained to be sure of availability in the future. Priorities include continuous cleaning of the building, and outside of any basic operation costs, any major spending will be carefully reviewed. The range reclamation will continue as budgeted, it is necessary for health and safety. The heat and air conditioning replacement on the roof for lecture hall two will continue. Anything further that is a major expense would need approval from the Governor's Office. Until the length of the spending moratorium is indentified, we will spend as little as possible in accordance with the Governor's request.

Chief Operating Officer Ansell reported that the Community College System has been tracking all of the expenses that have occurred as a result of Covid 19. He asked Major Parenteau if PSTC had been tracking expenses as it may be possible for reimbursement or useful for other purposes. Major Parenteau responded that PSTC had not been tracking expenses due to Covid 19, but staff would be able to accomplish it.

Previous Unfinished Business

Thomas Harriman, Newbury Police Department

Major Parenteau updated the Council on Officer Harriman's status. During the January 28, 2020 meeting, a motion was made and passed that Officer Harriman take a three year fitness test at the PSTC training facility. On February 24, 2020 Officer Harriman took and passed a three year fitness test conducted at PSTC, and he is now in compliance.

Budget Discussion Continued from February 25, 2020

Major Parenteau summarized that the Governor had requested a \$300,000 reduction in PSTC's budget for both the current fiscal year and the next fiscal year. Fiscal 2021 must be addressed as it will prove difficult to find the necessary reductions.

New Hampshire Department of Corrections – Line Personnel retaining Correction's Officer Certification

Assistant Commissioner Ben Jean joined the meeting via Zoom. The Assistant Commissioner praised the staff at PSTC for initializing Zoom which enabled the Council to meet.

Assistant Commissioner Jean explained that during the February 25, 2020 Council meeting he had made a request on behalf of the NH Department of Corrections regarding line personnel. Specifically, line personnel retaining their correction's officer certification after they had transferred from a CO position to a position inside the prison that did not require them to be certified as a correction's officer, such as a case manager.

Currently the NH Department of Corrections sends a change in status Form B to PSTC to record that a corrections officer has been hired as a case manager PSTC staff logs the updated information into the database, that person is no longer recognized as a correction's officer. Their certification is no longer recognized as of that date.

NH Department of Corrections would like to clarify the status. A Correction's Officer that changes to a line personnel position, if they choose, will have their status as a Corrections Officer changed from full time to part time on the Form B submitted to PSTC. By completing the form in this manner, they will be required to maintain their Correction's Officer certification by completing the necessary ongoing training each year.

If the person does not want to maintain their Correction's Officer certification, the Form B will be completed and checked "Other". In the future, if that person changes his or her mind and would like to work as a Correction's Officer again, they would be required to apply for prior training and experience certification, and complete the necessary training.

Assistant Commissioner Jean stated that he had met with staff at PSTC to clarify and discuss his proposal from February 28th, and both he and PSTC staff were in agreement with the suggested changes.

Motion by Chief Cahill, seconded by Chief Cormier, to allow the New Hampshire Department of Corrections to allow the line personnel to maintain their certification with the process outlined by Assistant Commissioner Ben Jean.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes
Judge Gardner	yes
Commissioner Hanks	abstained
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

PTE Nathan King, New Hampshire Department of Corrections

Major Parenteau explained that Nathan King was a certified correction's officer that had taken a non uniformed position with the Department of Corrections. Nathan King has been in a civilian position for less than two years. The worksheet provided by the New Hampshire Department of Corrections indicates that Mr. King must complete a medical exam, entrance fitness test, qualify with a pistol, and complete the agency's defensive tactics program.

Based upon the prior ruling, staff recommends that Nathan King be granted the opportunity to regain his correction's officer certification, and be classified as a part time corrections officer. PSTC is in receipt of an updated Form A and a Form I.

Motion by Mr. Ed Lecius, seconded by Judge Vetanze to grant the request of the New Hampshire Department of Corrections for prior training and experience certification after completion of all of the requirements.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes
Judge Gardner	yes
Commissioner Hanks	abstained
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes

Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

New Hampshire Department of Corrections Police to Correction's certification.

Major Parenteau followed up on this item that was previously presented at the February 28, 2020 Council meeting.

He has been in contact with Senior Assistant Attorney General Nancy Smith, PSTC's legal counsel. The question from the February meeting was whether a proposal for a point system for certification of former law enforcement officer as corrections officers would need to be implemented through rule making. SAAG Smith reviewed the proposal; her opinion was that there was no rule change required.

Motion by Chief Cormier, seconded by Mr. Lecius, to approve the request by the New Hampshire Department of Corrections to implement a matrix for prior training and experience certification for police officers that would like to become certified corrections officers.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes
Judge Gardner	yes
Commissioner Hanks	abstained
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

New Business

Major Parenteau explained that following the hearings of Philip Pelletier and Seth Arcieri on January 28, 2020, the motions to revoke their certification did not include the standard terms that the revoked certifications were to be entered into the IADLEST National Decertification Database. The Major was requesting a motion to included Seth Arcieri and Philip Pelletier's names entered into the National Decertification Database. He also requested a motion stating that in the future, any officer whose certification was revoked, by an automatic provision, their name would be entered in the National Decertification Database.

Motion by Chairman Cahill, seconded by Chief Cormier, to amend the motions from the January 28, 2020 hearings for Seth Arcieri and Philip Pelletier to include that their names both be added to the IADLEST National Decertification Database.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	abstained
Sheriff Valerino	abstained
Judge Gardner	yes
Commissioner Hanks	yes
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

Motion by Chief Cormier, seconded by Attorney General MacDonald, that in the future when officer's certifications are revoked that the names would be entered as a standard matter of business into the IADLEST National Decertification Database.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes
Judge Gardner	yes
Commissioner Hanks	yes
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes

Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

Discussion Pol 205.02 Probable Cause to hold a hearing

Motion by Judge Gardner, seconded by Chief Cormier, to begin a nonpublic session, citing RSA 91-A:3, II(a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.

Anne Paquin did the roll call vote for the motion. Attorney General MacDonald, per advice of PSTC counsel, stated that due to the nature of the meeting being termed as telephone, each member should state where they were and if they were alone.

Vice Chairman, Chief Morency	yes, in his office
Sheriff Valerino	yes in Chief Morency's office
Judge Gardner	yes at home, alone
Commissioner Hanks	yes, her office, alone
Chief Capano	yes, his office alone
AG MacDonald	yes, his office alone
Sheriff Massahos	yes, his office alone
Judge Vetanze	yes, at home, alone
COO Ansell	yes, his office, alone
Chief Cormier	yes, his office alone
Mr. Lecius	yes, his office alone
Dr. Sullivan	yes, at home, alone
Chairman, Chief Cahill	yes, at PSTC with Director Scippa, Major Parenteau, Lieutenant Hawkins, and Anne Paquin.

**Using the Zoom meeting, Council members exited the public meeting, and logged onto a separate nonpublic Zoom meeting.

At 9:50 a.m. the Council began a nonpublic session.

Motion to exit the nonpublic session by Commissioner Hanks, seconded by Attorney General MacDonald.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes
Judge Gardner	yes

Commissioner Hanks	yes
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

At 10:45 a.m. the Council was back in a public session.

Motion to seal, by Judge Gardner, seconded by Mr. Lecius, because it is determined that divulgence of this information likely would affect adversely the reputation of anyone other than a member of this board.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes
Judge Gardner	yes
Commissioner Hanks	yes
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

Motion by Chairman Cahill that under Pol 402.02 (a) that the Council requires a hearing for to show eligibility, the motion was seconded by Attorney General MacDonald.

Discussion ensued amongst the Council members regarding the specificity of the administrative rule, and that perhaps using a rule that was less specific for a hearing would be in order.

Attorney General MacDonald suggested, addressing Major Parenteau, if the correct administrative rule to cite for the motion would be Pol 205.02, it would not limit the Council to Pol 402.02 (a). The hearing would be for probable cause, rather than suspension or revocation.

The aforementioned was offered as an amendment to Chief Cahill's motion. Judge Vetanze seconded Attorney General MacDonald amendment to Chief Cahill's motion.

Chief Cahill summarized the amended motion, citing Pol 205.02 that a hearing for probable cause be held.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes
Judge Gardner	yes
Commissioner Hanks	yes
Chief Capano	abstained
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

Ashland Police Department Audit

Major Parenteau summarized the audit completed by Captain McCabe and Lieutenant Nelson at the Ashland Police Department. The agency could benefit from better methods of recording keeping as many were incomplete and some did not exist. The Ashland chief is aware of the record keeping status of the agency, and he is working to improve this area.

Hearings

The two hearings that had been scheduled were continued to the April 28, 2020 meeting.

Consent Calendar

Prior Training and Experience Certification Requests

Officer Todd Crumb, Chester Police Department,

(DOH: 02/05/2020) requests consideration for full-time police officer certification based on prior training and experience. Will be granted certification upon successful completion of the medical exam, and entrance fitness test with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

Officer Jake Clark, Conway Police Department

(DOH: 03/02/2020) requests consideration for full-time police officer certification based on prior training and experience. Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy, with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

Officer Ryan Yeaton, Effingham Police Department

(DOH: 02/25/2020) requests consideration for full time police officer certification based on prior training and experience. Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy, with the stipulation that the officer must work in the direct presence of a certified officer unless the officer completes the agency's FTO program and then may work under normal supervision.

Requests for Extensions

Note: Extensions granted until the first council meeting following the fitness testing for the requested Academy, and, if testing is successful, to the first council meeting following the end of the requested Academy.

Full-Time Officer Academy

Class Number	181	182
Dates	01/06/2020 - 04/24/2020	05/04/2020 – 08/21/2020
Paperwork Submission Deadline *	12/02/2019	04/06/2020
Fitness Test Date	12/16/2019	04/20/2020

Part-Time Officer Academy

Class Number	279
Dates	02/01/2020 – 05/08/2020
Paperwork Submission Deadline *	01/04/2020
Fitness Test Date	01/18/2020

Corrections Academy

Class Number	112
Dates	04/27/2020 – 06/26/2020
Paperwork Submission Deadline *	03/30/2020
Fitness Test Date	04/06/2020

Brad Von Haden Kensington Police Department (DOH: 04/01/2020 Part-Time certified) extension granted until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that the officer must remain actively enrolled in the 183rd academy.

Motion by Ed Lecius, seconded by Chief Cormier to approve the consent calendar.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes
Judge Gardner	yes
Commissioner Hanks	yes
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

NH Department of Corrections, Pol 301.05 waiver

Assistant Commissioner Ben Jean and Mark Cardova were present via Zoom in Assistant Commissioner Jean's office. They requested a non public session.

Motion by Dr. Sullivan, seconded by Chief Morency, to initiate a nonpublic session, citing RSA 91-A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	inaudible
Sheriff Valerino	inaudible
Judge Gardner	yes
Commissioner Hanks	recused
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes

COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

At 11:03 a.m. the Council began a nonpublic session. Council members exited from the public session from Zoom, and entered a separate nonpublic session in Zoom.

Motion to exit the nonpublic session by Chairman Cahill, seconded by Attorney General MacDonald.

Vice Chairman, Chief Morency	inaudible
Sheriff Valerino	inaudible
Judge Gardner	yes
Commissioner Hanks	recused
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

At 11:15 the Council was back in a public session.

Motion by Judge Gardner, seconded by Mr. Lecius to seal the minutes of the nonpublic session because it is determined that divulgence of this information likely would affect adversely the reputation of anyone other than a member of this board.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	inaudible
Sheriff Valerino	inaudible
Judge Gardner	yes
Commissioner Hanks	recused
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes

COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed.

Motion by Chief Cormier, seconded by Sheriff Massahos to grant the Pol 301.05 (g) waiver to the New Hampshire Department of Corrections for Mark Cordova.

Discussion ensued amongst the Council members regarding the specific language of the rule.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	inaudible
Sheriff Valerino	inaudible
Judge Gardner	no
Chairman, Chief Cahill	no
Commissioner Hanks	abstained
Chief Capano	yes
AG MacDonald	no
Sheriff Massahos	no
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	no
Dr. Sullivan	yes

The vote was five in favor of the motion, and five opposed.

** It was determined that Chief Morency and Sheriff Valerino had not been able to access the nonpublic session regarding the NH Department of Corrections' request. Council members agreed that the item should be presented again.

Motion by Attorney General MacDonald, seconded by Sheriff Massahos to to initiate a nonpublic session, citing RSA 91-A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes

Judge Gardner	yes	
Commissioner Hanks	recused	staying out of nonpublic session
Chief Capano	yes	staying out of nonpublic session
AG MacDonald	yes	
Sheriff Massahos	yes	staying out of nonpublic session
Judge Vetanze	yes	
COO Ansell	yes	
Chief Cormier	yes	
Mr. Lecius	yes	
Dr. Sullivan	yes	
Chairman, Chief Cahill	yes	

The motion passed.

At 11:25 the Council began a nonpublic session.

Motion to exit the nonpublic session by Attorney General MacDonald, seconded by Chief Morency.

Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes	
Sheriff Valerino	yes	
Judge Gardner	yes	
Commissioner Hanks		staying out of nonpublic session
Chief Capano		staying out of nonpublic session
AG MacDonald	yes	
Sheriff Massahos		staying out of nonpublic session
Judge Vetanze	yes	
COO Ansell	yes	
Chief Cormier	yes	
Mr. Lecius	yes	
Dr. Sullivan	yes	
Chairman, Chief Cahill	yes	

The motion passed.

At 11:35, the meeting returned to a public session.

Motion by Judge Gardner, seconded by Mr. Lecius to seal the minutes of the nonpublic session because it is determined that divulgence of this information likely would affect adversely the reputation of anyone other than a member of this board.

Chairman Cahill asked for the roll call vote from members that had not been a part of the previous nonpublic session on the matter, using the same motion

Chief Morency – yes
Sheriff Valerino – yes

There were 7 in favor, five opposed, the motion passed.

Waiver of 1300 hour rule for part time officers

Chairman Cahill has received requests from several agencies to waive the rule that part time officers were only allowed to work 1300 hours per year during the Governor's declaration of a state of emergency for New Hampshire. The other question was regarding a waiver of part time hours for retired police officers as it related to the retirement board.

Chief Cahill has been in contact with PSTC's legal counsel, Senior Attorney General Nancy Smith, and also with Associate Attorney General Ann Edwards for assistance with the question, and he had hoped to have the answer to present today.

Commissioner Hanks stated that any of the part time correction's officers that were retired would also be seeking the same waiver opportunity as the part time retired police officers.

Chairman Cahill responded that this may be a matter for the Governor's Office. He would like to go to the Governor's Office as orders were drafted for the Fire and EMS, it would be good if PSTC was considered in the same category.

Addendum, Email from Chief Wagner, Conway Police Department, and Jackson Police Department

Director Scippa had forwarded an email to all of the Council members on March 20, 2020 to be discussed at the Council meeting.

Chairman Cahill summarized that this was a request from Chief Wagner of the Conway Police Department who was asking the Council to waive Pol 302.01, the administrative rule that required uncertified police officers to work in the direct presence of a certified officer.

Chairman Cahill suggested that Chief Wagner should be asked to attend the next Council meeting in order to explain his request, and to respond to questions from the Council about his request.

Discussion ensued amongst the Council members:

- this could be a hindrance for a small agency with limited personnel
- why would any agency let an uncertified officer work on their own
- should other agencies with an interest in the topic be asked to comment
- a gathering of people at this time at PSTC would not be advisable
- could an email be sent to agencies for their input

- Chief Wagner should be available in person
- Other chiefs could email Major Parenteau
- This is not the first inquiry by Chief Wagner on Pol 302.01
- The email is not clear that the inquiry is due to Covid 19
- Chief Wagner has support from the chief of Jackson Police Department
- Should a meeting be held in two weeks for this discussion
- The subject at hand did not constitute an emergency

Chairman Cahill suggested that Director Scippa contact Chief Wagner and inquire how Pol 302.01 affected his agency and whether it was an issue due to the current Governor’s state of emergency.

The Council can wait to hear back from Director Scippa, then decide whether or not to call a meeting before April 28, 2020, the scheduled meeting date.

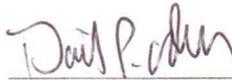
Motion to adjourn by Chief Capano, seconded by Sheriff Valerino.
Anne Paquin did the roll call vote for the motion.

Vice Chairman, Chief Morency	yes
Sheriff Valerino	yes
Judge Gardner	yes
Commissioner Hanks	yes
Chief Capano	yes
AG MacDonald	yes
Sheriff Massahos	yes
Judge Vetanze	yes
COO Ansell	yes
Chief Cormier	yes
Mr. Lecius	yes
Dr. Sullivan	yes
Chairman, Chief Cahill	yes

The motion passed, meeting adjourned at 11:50 a.m.

April 28, 2020

Respectfully Submitted



David P. Cahill
Chairman